

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

To:

Davies Collison Cave
Level 15
1 Nicholson Street
MELBOURNE VIC 3000

PCT

NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL SEARCH REPORT AND
THE WRITTEN OPINION OF THE INTERNATIONAL
SEARCHING AUTHORITY, OR THE DECLARATION

(PCT Rule 44.1)

<i>Rec'd from 21. Aug 2004</i>		Date of mailing (day/month/year) 21 SEP 2004
Applicant's or agent's file reference 12467540/EJH/HPM:DYS	<i>EJH</i>	FOR FURTHER ACTION See paragraphs 1 and 4 below
International application No. PCT/AU2004/000894		International filing date (day/month/year) 2 July 2004
Applicant GENERA BIOSYSTEMS PTY LTD et al		

<p>1. <input checked="" type="checkbox"/> The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.</p> <p>Filing of amendments and statement under Article 19: The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):</p> <p>When? The time limit for filing such amendments is normally two months from the date of transmittal of the international search report.</p> <p>Where? Directly to the International Bureau of WIPO, 34 chemin des Colombettes 1211 Geneva 20, Switzerland, Facsimile No.: +41 22 740 14 35</p> <p>For more detailed instructions, see the notes on the accompanying sheet.</p>	
<p>2. <input type="checkbox"/> The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.</p>	
<p>3. <input type="checkbox"/> With regard to the protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:</p> <p><input type="checkbox"/> the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.</p> <p><input type="checkbox"/> no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.</p>	
<p>4. Reminders</p> <p>Shortly after the expiration of 18 months from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.</p> <p>The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. These comments would also be made available to the public but not before the expiration of 30 months from the priority date.</p> <p>Within 19 months from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later); otherwise, the applicant must, within 20 months from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.</p> <p>In respect of other designated Offices, the time limit of 30 months (or later) will apply even if no demand is filed within 19 months.</p> <p>See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the <i>PCT Applicant's Guide</i>, Volume II, National Chapters and the WIPO Internet site.</p>	

Name and mailing address of the ISA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaaustralia.gov.au Facsimile No. (02) 6285 3929	Authorized officer DAVID OLDE Telephone No. (02) 6283 2569
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PATENT COOPERATION TREATY
PCT
INTERNATIONAL SEARCH REPORT
(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 12467540/EJH/HPM/DYS	FOR FURTHER ACTION	see Form PCT/ISA/220 as well as, where applicable, item 5 below.
International application No. PCT/AU2004/000894	International filing date (day/month/year) 2 July 2004	(Earliest) Priority Date (day/month/year) 4 July 2003
<p>Applicant GENERA BIOSYSTEMS PTY LTD et al</p>		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 4 sheets.

It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

The international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, see Box No. I.

2. Certain claims were found unsearchable (See Box No. II).

3. Unity of invention is lacking (See Box No. III).

4. With regard to the title,

the text is approved as submitted by the applicant.

the text has been established by this Authority to read as follows:

Methods for detecting aneuploidy using microparticle multiplex detection

5. With regard to the abstract,

the text is approved as submitted by the applicant.

the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regard to the drawings,

- a. the figure of the drawings to be published with the abstract is Figure No.

as suggested by the applicant.

as selected by this Authority, because the applicant failed to suggest a figure.

as selected by this Authority, because this figure better characterizes the invention.

- b. none of the figures is to be published with the abstract.

INTERNATIONAL SEARCH REPORT

International application No.

PCT/AU2004/000894

A. CLASSIFICATION OF SUBJECT MATTER

Int. Cl. ? C12Q 1/68 C12N 15/12 G01N 33/52

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

SEE ELECTRONIC DATABASES

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

SEE ELECTRONIC DATABASES

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

Medline, CaPlus, Biosis, WPIDS (chromosom?, aberrat?, preimplant?, diagnos?, aneuploid?, flow cytometry, cytometric bead array, bead, micro. particle, multiplex, intensity, size)

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO2002 040698 A (SURROMED INC) 23 May 2002. See whole document.	1-23
X	Cook, E.B. et al. 2001. Simultaneous measurement of six cytokines in a single sample of human tears using microparticle-based flow cytometry: allergics vs. non-allergics. Journal of Immunological Methods. 254:109-118. See whole document.	1-6
X	Spiro, A. et al. 2000. A bead-based method for multiplexed identification and quantification of DNA sequences using flow cytometry. Applied and Environmental Microbiology. 66(10):4258-4265. See whole document.	1-23

 Further documents are listed in the continuation of Box C See patent family annex

• Special categories of cited documents:	
"A" document defining the general state of the art which is not considered to be of particular relevance	"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"E" earlier application or patent but published on or after the international filing date	"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"O" document referring to an oral disclosure, use, exhibition or other means	"&" document member of the same patent family
"P" document published prior to the international filing date but later than the priority date claimed	

Date of the actual completion of the international search
16 September 2004

Date of mailing of the international search report

21 SEP 2004

Name and mailing address of the ISA/AU
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INTERNATIONAL SEARCH REPORT

International application No.

PCT/AU2004/000894

C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO1997014023 A (Luminex Corporation) 17 April 1997 See whole document	1-23
A	Wilton, L. 2002. Preimplantation genetic diagnosis for aneuploidy screening in early human embryos: a review. <i>Prenatal Diagnosis</i> . 22:512-518. See whole document.	1-23
A	Lomax, B. <i>et al.</i> 2000. Comparative genomic hybridization in combination with flow cytometry improves results of cytogenetic analysis of spontaneous abortions. <i>American Journal of Human Genetics</i> . 66:1516-1521. See whole document.	1-23
A	Trask, B. <i>et al.</i> 1990. Quantification of the DNA content of structurally abnormal X chromosomes and X chromosome aneuploidy using high resolution bivariate flow karyotyping. <i>Cytometry</i> . 11:184-195. See whole document.	1-23

INTERNATIONAL SEARCH REPORT
Information on patent family members

International application No.
PCT/AU2004/000894

This annex lists the known "A" publication level patent family members relating to the patent documents cited in the above-mentioned international search report. The Australian Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

Patent Document Cited in Search Report			Patent Family Member				
WO	1997 014028	AU	73989/96	CA	2227895	EP	0852004
		US	5736330	US	5981180	US	6057107
		US	6449562	US	6524793	US	2004059519
WO	2002 040698	AU	37662/02				

Due to data integration issues this family listing may not include 10 digit Australian applications filed since May 2001.

END OF ANNEX